

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Linda Joan Trohoske**  
Debtor(s)

Bankruptcy Case No.: 17-11140-TPA  
Per June 4, 2019 Proceeding  
Chapter: 13  
Docket No.: 86 – 14, 78  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 20, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: 1) Fee Application needed if fees (including retainer) exceed \$4,000.00. 2) The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified Plan terms: Crescent Bank (Claim No. 2); MB Financial (Claim No. 1) shall be paid per Loan Modification beginning May, 2019 and Millcreek Township is payable at 10%.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge  
United States Bankruptcy Court

Dated: June 10, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Linda Joan Trohoske  
 Debtor

Case No. 17-11140-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: vson  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 25

Date Rcvd: Jun 10, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 12, 2019.

db	+Linda Joan Trohoske, 2530 North Tracy Drive, Erie, PA 16505-4412
cr	+FIFTH THIRD BANK, 2251 Rombach Ave, Wilmington, OH 45177-1995
cr	+MB Financial Bank, National Association, 2251 Rombach Avenue, Wilmington, OH 45177-1995
14732120	+Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298
14732121	+Cole Taylor Bank, 2350 Green Road, Suite 100, Ann Arbor, MI 48105-1588
15059561	+Fifth Third Bank, 2251 Rombach Ave., Wilmington, Ohio 45177-1995
14732123	First Progress Card, P.O. Box 84010, Columbus, GA 31908-4010
14732125	+MB Financial Bank, 2251 Rombach Avenue, Wilmington, OH 45177-1995
14732127	#+MB Financial Bank, N.A., P.O. Box 5000, Wilmington, OH 45177-5000
14716590	+MB Financial Bank, N.A., c/of Law Office of Gregory Javardian LLC, 1310 Industrial Blvd., 1st Floor, Suite 101, Southampton, PA 18966-4030
14726032	+MB Financial Bank, National Association, 2251 Rombach Avenue, Wilmington, Ohio 45177-1995
14732129	+Millcreek Township Tax Collector, 3608 West 26th Street, Erie, PA 16506-2059
14732130	Mortgage Electronic Registration, Systems, Inc., P.O. Box 2026, Flint, MI 48501-2026
14732134	+Tri-State Allergy & Asthma LLC, 2409 State Street, Suite D, Erie, PA 16503-1856

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14732118	E-mail/Text: legal@arsnational.com Jun 11 2019 02:24:14	ARS National Services Inc.,
	P.O. Box 469046, Escondido, CA 92046-9046	
14732119	+E-mail/Text: legal@arsnational.com Jun 11 2019 02:24:14	ARS National Services Inc.,
	Dept. 110840, P.O. Box 1259, Oaks, PA 19456-1259	
14728858	+E-mail/Text: bankruptcy@cbtnc.com Jun 11 2019 02:24:54	Crescent Bank & Trust,
	P.O. Box 61813, New Orleans, LA 70161-1813	
14732124	E-mail/Text: JCAP_BNC_Notices@jcap.com Jun 11 2019 02:24:37	Jefferson Capital System,
	16 McLeland Road, St. Cloud, MN 56303	
14742414	E-mail/Text: JCAP_BNC_Notices@jcap.com Jun 11 2019 02:24:38	Jefferson Capital Systems LLC,
	Po Box 7999, Saint Cloud Mn 56302-9617	
14753276	+E-mail/Text: bankruptcy@mcsmc.com Jun 11 2019 02:24:31	MIDLAND FUNDING LLC,
	PO BOX 2011, WARREN, MI 48090-2011	
14732128	+E-mail/Text: bankruptcy@mcsmc.com Jun 11 2019 02:24:31	Midland Funding LLC,
	2365 Northside Drive #300, San Diego, CA 92108-2709	
14732131	+E-mail/PDF: cbp@onemainfinancial.com Jun 11 2019 02:25:57	One Main Financial,
	6801 Colwell Blvd., Irving, TX 75039-3198	
14732132	+E-mail/PDF: cbp@onemainfinancial.com Jun 11 2019 02:26:34	One Main Financial,
	P.O. Box 1010, Evansville, IN 47706-1010	
14717633	+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 11 2019 02:37:01	
	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021	
14732133	+E-mail/PDF: gecsed@recoverycorp.com Jun 11 2019 02:26:15	Synchrony Bank,
	ATTENTION: Bankruptcy Dept., P.O. Box 965061, Orlando, FL 32896-5061	

TOTAL: 11

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr	MB Financial Bank, National Association
cr	MB Financial Bank, National Association
cr*	+PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14732122*	+Crescent Bank & Trust, P.O. Box 61813, New Orleans, LA 70161-1813
14732126*	+MB Financial Bank, N.A., c/of Law Office of Gregory Javardian LLC, 1310 Industrial Blvd., 1st Floor, Suite 101, Southampton, PA 18966-4030
14767007*	+MB Financial Bank, National Association, 2251 Rombach Avenue, Wilmington, Ohio 45177-1995

TOTALS: 2, \* 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 12, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-1

User: vson  
Form ID: 149

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Total Noticed: 25

Date Rcvd: Jun 10, 2019

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 10, 2019 at the address(es) listed below:

Alexandra Teresa Garcia on behalf of Creditor MB Financial Bank, National Association  
ecfmail@mwclaw.com, ecfmail@ecf.courtdrive.com  
James Warmbrodt on behalf of Creditor MB Financial Bank, National Association  
bkgroup@kmlawgroup.com  
Jodi L. Hause on behalf of Creditor MB Financial Bank, National Association  
jodi.hause@phelanhallinan.com, pawb@fedphe.com  
Michael S. Jan Janin on behalf of Debtor Linda Joan Trohoske mjanjanin@quinnfirm.com,  
knottingham@quinnfirm.com;mboni@quinnfirm.com;mgleba@quinnfirm.com;mmbquinnbankruptcy@gmail.com;m  
myers@quinnfirm.com;mtrayer@quinnfirm.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6